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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

TODD JOSEPH TAYLOR

Defendant and Appellant.

B211033

(Los Angeles County
Super. Ct. No. LA058832)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Susan W. Speer, Judge. Affirmed.

Tracy A. Rogers, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant Todd Joseph Taylor¹ appeals from a judgment following a jury trial in which he was convicted of grand theft of personal property (Pen. Code, § 487, subd.(a)).² In a bifurcated proceeding, defendant waived his right to trial and admitted he had a prior serious or violent felony conviction within the meaning of the “Three Strikes” law (§§ 667, subds. (b)-(i), 1170.12) and had suffered a separate prison term for a felony (§ 667.5, subd. (b)). The trial court struck the prior prison term enhancement (§ 1385) and sentenced defendant as a second strike offender to six years in state prison. Defendant was awarded 216 days of presentence credit (144 actual days and 72 days of conduct credit) and ordered to pay a restitution fine of \$1,200 (§ 1202.4, subd. (b)). A parole revocation fine was imposed and stayed (§ 1202.45).

FACTS³

Defendant left a Target store electronics department with a shopping cart full of \$800 worth of merchandise. After refusing a cashier’s offer to process his payment, defendant pushed the cart through the store exit.⁴ Defendant was stopped outside by a loss prevention officer and became combative. Following a struggle, defendant abandoned the shopping cart, fled to a parked car and drove away. The loss prevention

¹ Defendant’s notice of appeal erroneously gives his name as “Joseph Todd Taylor.”

² All further statutory references are to the Penal Code.

³ Because defendant was acquitted of a second count of robbery, the underlying facts of that offense are not relevant to this appeal.

⁴ An unidentified confederate apparently assisted defendant in committing the crime.

officer recorded the license plate number, and the car was traced to defendant as the registered owner.⁵

DISCUSSION

We appointed counsel to represent defendant on appeal. After examination of the record, counsel filed an opening brief in which no issues were raised. On January 8, 2009, we advised defendant that he had 30 days within which to submit personally by brief or letter any grounds of appeal, contentions or arguments that he wanted us to consider. To date, we have received no response from defendant. We have examined the entire record and are satisfied defendant's attorney has complied fully with the responsibilities of counsel and no arguable issues exist. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The judgment is affirmed.

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JACKSON, J.

We concur:

WOODS, Acting P. J.

ZELON, J.

⁵ Defendant's *Marsden* motion (*People v. Marsden* (1970) 2 Cal.3d 118) was heard and denied prior to trial.